



CITY OF HOUSTON
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 Strategic Procurement Division

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February 15, 2022

SUBJECT: Letter of Clarification No. 3

REFERENCE: RFP No.: P03-T31149- Houston Airport System Food and Beverage Concessions (William P. Hobby Airport)

TO: All Prospective Proposers

This Letter of Clarification is issued for the following reason:

1. To update Section 1.1 Number of Copies with the below language:

- 1.1. Number of Copies. Submit one (1) printed original (Marked "Original") signed in BLUE INK, two (2) printed COPIES, and six (6) electronic copies of the Proposal on flash drives (Non-Password Protected) sealed in a separate envelope bearing the assigned solicitation number (P03-T31149) to:

Finance Department - Strategic Procurement Division
 Bob Lanier Building
 611 Walker St., 5th Floor
 Houston, Texas 77002

2. To update 2.0 Submission Requirements and replace Tab 4. Knowledge and Experience with the following language:

Tab 4: Additional Submission Requirements: Provide responses to Part II SCOPE OF WORK AND TECHNICAL REQUIREMENTS, Section 1.11 through 1.17. Responses to these sections should be labeled "Part II" and numbered according.

3. To provide responses to the questions received from prospective proposers prior to the deadline to submit questions:

1	Question	Please provide the following information: Enplanements by concourse (west and Central) for July-Dec 2021.
	Response	Please see Attachment D for enplanements for July-December 2021.
2	Question	Please provide the following information: Sales by location for calendar years 2019, 2020 and 2021.
	Response	

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		Please see Attachment E for sales by location by CY's 2019 - 2021
3	Question	Section 7.61. (last sentence referring to "minimum expenditures required in Sections 4.1.8 an 4.1.9). Although Section 4.1.9 contains minimum expenditure requirements for initial improvements. Section 4.1.8 does not contain any minimum expenditure requirements. Is that reference to 4.1.8 intended to be another section?
	Response	Section 7.6.1 should refer to the minimum investment requirements in Sections 4.1.9 and 4.1.11. This will be corrected during negotiations.
4	Question	Section 8.1.1 (concerning the sentence which states "Utilities will be available to the Facilities as described herein and in the construction detail drawings which will be delivered to Concessionaire within 60 days following the Execution Date and which are incorporated herein by this reference.") Please confirm, does the "60 days" refer to the delivery of the Facilities?
	Response	It refers to the construction detail drawings which will be received no later than 60 days following the Execution Date of the agreement.
5	Question	Section 11.2.3.1 (concerning ACDBE 30% goal) and Section 11.2.10 (concerning DBE 30 % goals) Please confirm, are these provisions intentionally differentiating between (and requiring both) an ACDBE participation goal and a DBE participation goal?
	Response	No, only an ACDBE participation goal is required
6	Question	Section 14.2.2 (concerning Termination for Convenience) If funds are not appropriated for reimbursement of Concessionaire's unamortized investment in the event the agreement is terminated by the City for convenience, will Concessionaire receive another form of compensation for its investment such as, for example, retroactive rent credit?
	Response	In the event the funds are not appropriated for reimbursement, HAS will work with concessionaire for alternative reimbursement option, including the option of rent credit.
7	Question	Package #1 request a coffee kiosk located in the baggage claim area. Currently there is a coffee vending unit in baggage claim. Will the vending coffee remain or be removed? Where is the location of the proposed coffee kiosk? The space diagram does not show a location.
	Response	The existing vending will be relocated by the City. The new coffee unit will go in its place.
8	Question	For Spaces F05C and F05D will Exhaust Venting and Gas usage be allowed for these two spaces? Will tenant be allowed to bring gas to these spaces and is there capacity for additional gas usage?
	Response	Yes – they can both be vented, and they can both have gas.

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9	Question	Please provide a comprehensive utility matrix noting all utilities and their capacities (both existing and available) for each concession space. Please provide service size/capacity, conduit sizes/quantities, etc. as needed for electrical service, data/fiber, water, sanitary sewer, grease waste, gas, HVAC, and related utilities. This is critical to ensure utility infrastructure can support the concession buildout for each space.
	Response	Refer to revised PART III and PART IV per Letter of Clarification #2.
10	Question	Section 1.13.2 states “replacement of all existing plumbing and drainage elements”. Please confirm this replacement requirement pertains only to the extent of the LOD and not outside of the tenant lease line. If outside the lease line, please provide details on the extent of replacement required for each space.
	Response	All existing plumbing will be removed by awarded concessionaire and new plumbing installed up to, but not breaking, the concrete that routes to grease traps
11	Question	Please identify points of connection (POCs) for all necessary utilities including electrical, data, water, sanitary sewer, grease waste, and gas for each space.
	Response	Refer to revised PART III and PART IV per Letter of Clarification #2.
12	Question	Please confirm locations of the existing grease interceptors and availability of grease waste lines and line sizes per space.
	Response	Please refer to Attachment F for denoting grease traps information.
13	Question	Please identify any access or routing limitations for under slab utilities (i.e. electrical rooms, data rooms, etc. impeding plumbing line installation) on any applicable spaces.
	Response	There are no routing limitations.
14	Question	Please provide airport as-built detailed PDFs for all locations including improvements both above and below the space.
	Response	As-builts will be provided to awarded concessionaire upon execution of an agreement.
15	Question	Part III & IV Scopes of Work state “re-demising required” for many concession spaces. Please confirm that the initial re-demising of the spaces is by Aviation. This is important since there will not only be drywall/framing required but also complete utility and infrastructure demising required.
	Response	Re-demising will be defined by HAS but work will be completed by awarded concessionaire.

16	Question	Please confirm any utility demising necessary for reconfigured food and beverage concessions spaces will be completed by Aviation prior to space delivery to tenant.
	Response	Please see response to above Question #15.
17	Question	Part III & IV Scopes of Work note that most storage locations only have electrical utilities available. To make best use of the storage and concession spaces, it would be preferred if plumbing was available at the larger storage locations to allow for refrigerated storage via walk-in refrigeration and potentially even food preparation. Please confirm the airport can provide plumbing (water/sewer service) at the larger storage spaces.
	Response	Awarded concessionaire will receive the storage spaces in “as is” condition.
18	Question	What condition will the support spaces be provided to the tenant (i.e., finished ceiling, HVAC conditioned spaces, etc.)?
	Response	Please see response to above Question #17.
19	Question	We have reviewed the Design Criteria Manual identified in the RFP. Are there specific tenant design criteria regarding storefronts, patios, and signage related to these concessions?
	Response	Signage, storefronts and trade dress will be submitted for design approval by awarded concessionaire; HAS Concessions and TIP will be the approving authority.
20	Question	Will there be a second question and answer period to respond to HAS’ letter of clarification for our first round of questions?
	Response	No, there will not be a second question and answer period.
21	Question	Please confirm and clarify that Respondents (Proposers) are not required to provide bid plans/specifications with their Proposal but rather, only the successful awardee/Concessionaire shall submit complete, ready-to-bid plans and specifications to the HAS Director comprised of designs for the replacement of all existing plumbing and drainage elements, including but not limited to: grease lines, grease traps, and Food & Beverage preparation color covering for all phases of construction and permanent buildout.
	Response	Only awarded concessionaires will be required to provide plans.
22	Question	Please clarify if one (1) Proposal inclusive of both F&B Packages is to be submitted or a separate, individual Proposal for each Package.
	Response	Proposers will be required to submit separate responses for each package.
23	Question	What is the expected award date?
	Response	The anticipated award date is May 2022, but this is only an estimate at this time.

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24	Question	What are the expected construction start and construction completion dates?
	Response	HAS will turnover spaces to awarded concessionaire on August 1 st . HAS and awarded concessionaire will work together to develop a phased approach for the full buildouts of locations to commence as soon as possible following turnover transition.
25	Question	What is the expected turnover date wherein the concessionaire will have possession of the space?
	Response	August 1, 2022.
26	Question	Who provides the cleaning services to the food court?
	Response	The operator will be responsible for janitorial services of food court
27	Question	What is the scope expected for the food court/common area seating
	Response	Both food courts will need to be completely redesigned, re-delineated and built-out.
28	Question	Can we please have a 30-day extension for proposal delivery?
	Response	No extension will be provided at this time.
29	Question	<p>The fine associated with 5.2.2 is very large considering COVID hiring challenges and subjective 3rd party customer review process. Please consider a fine of \$100 per occurrence,</p> <p>i. In addition to the termination rights in Section 14.1, Director shall have the right to assess liquidated damages in an amount of \$5,000.00 per occurrence for Concessionaire's failure to meet any of the requirements of Section 5.2, inclusive of all sections therein. Concessionaire and City stipulate that any such assessment shall not be construed as a penalty; rather, Concessionaire and City stipulate that the damages resulting from any such violation will be difficult to measure and ascertain and that \$5,000.00 per occurrence is a reasonable estimation of the damages suffered by the City. Any assessment of liquidated damages by the Director shall be paid to City by Concessionaire within 10 days of receipt of an invoice for such damages.</p>
	Response	Section 5.2 stands as written. However, HAS will work with concessionaire to accommodate short-term, temporary operational challenges. Extended violation of the terms could trigger the clause in Section 5.2.2
30	Question	We would like to request an extension through 4/10/2022
	Response	No extension will be provided at this time.

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31	Question	The package requests a single rent number. We think this overlooks the need for a pre-security rent structure separate from the other locations. As is well known in the industry, spaces pre security are automatically not as profitable due to their location for several reasons, including the desire of a traveler to quickly get through security before stopping for food, the advent of rideshare services diminishing the need for friend and family pick up, COVID concerns discouraging friends and family from waiting inside a public space for their traveler and the use of cell phones to enable those picking up to wait in their car instead of pre-security spaces. Is there an opportunity to have these pre-security locations on a different rent structure than the other spaces? We believe a rent of 0-3% would be more appropriate in that area rather than a post-security rent rate. Although an amenity is needed, a 5-star amenity can be more readily offered if the rent reflects the expected business level
	Response	HAS maintains the scale of economies of each package affords a single rent percentage.
32	Question	The RFP lists out the required tabs, but some of the graded information outlined on pg. 9 - 16 (Customer service management staffing and logistics plan, Design material and sustainability, Construction, Transition plan and Concept Development and Menu etc.) are not listed in the tab section on page 26 -28. Any clarification you can provide on the tabs and their content would be helpful.
	Response	Please see update in item #3 listed above.
33	Question	With the covid pandemic still causing disruption across the country, many airports have given their concessionaires a 3-year lease extension. Would HAS be willing to extend the lease to a 13-year term, given that we are investing when the market has not yet stabilized?
	Response	No, this will not be considered.
34	Question	In the recent RFP released by HAS for the IAH concessions #T30019, the following language was included in the compensation to the city section. Section 1.5.3 states: "During the Term, in the event that the number of passengers enplaning at the Airport during any three-month or longer period shall be less than or equal to eighty percent (80%) of the number of such enplaning passengers for the corresponding period in calendar year 2019 (the last full year of normal enplanements prior to the impacts of the COVID-19 pandemic) ("Baseline Year"), then the Percentage Fee Rate shall be reduced by a commensurate percentage. By way of illustration only, if enplanements were down sixty percent (60%) for such a period, then the Percentage Fee Rate would be reduced by forty percent (40%) for that period. Similarly, in the event that the number of passengers enplaning at the Airport during any three-month or longer period, shall be more than or equal to 120 percent (120%) of the number of such enplaning passengers for the corresponding period in the Baseline Year, the Percentage Fee Rate shall be increased by a commensurate percentage. In either such event, the City will provide Concessionaire with a rent credit or debit memo with the applicable amount to be used to offset or add, respectively, to the next

		Percentage Fee payment.” We ask that the same language be added to the Hobby concessions RFP.
	Response	This language was omitted via Letter of Clarification #7 from RFP T30019 ITRP for George Bush Intercontinental Airport. It will not be included in this specific RFP.
35	Question	Is the solicitation name RFP P-03 – T31149 or just T31149?
	Response	RFP P03 -T31149.
36	Question	In the 2019 solicitation, a “Checklist” was included to help identify all of the required content that was to be provided. Would you consider providing one for this solicitation? Right now, if we follow the RFP, it doesn’t state that you must also include all of the Minimum Requirement’s content.
	Response	Please refer to Part VI – Submission of Proposal and PART X – Required Forms to be Submitted with Proposal.
37	Question	If the bidder is a newly formed joint venture, what is the financial stability requirement? Will the City accept the financial statements of the majority joint venture partner or does the City need financials from all partners?
	Response	Joint venture partners will need to submit financials from all partners.
38	Question	Is a Surety Bond expected with our submittal?
	Response	Please refer to Section 1.0 Performance Bond, Exhibit VIII, Exhibit XIV, and Exhibit XV.
39	Question	Can you clarify if you want all of the forms under Tab 9: Forms and Certifications or only those that aren’t required in other sections? For example, Exhibit VII Experience and Qualification Statement is required under Background and Experience. Therefore, would you want us to place the form in Background and Experience with the responses and also a copy of just the form under tab 9 referencing back to Background and Experience, as a duplication?
	Response	Please included Exhibit VII Experience and Qualification Statement within Tab 9: Forms and Certifications.
40	Question	Is a bid/proposal bond due with the proposal submission? If so, how much. We understand the performance bond will be submitted after award of the contract
	Response	Please refer to Section 1.0 Performance Bond, Exhibit VIII, Exhibit XIV, and Exhibit XV.

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41	Question	Will you provide Exhibit X – Business Plan Form in Excel format?
	Response	Please see attached Exhibit X – Business Plan Form in excel.
42	Question	Exhibit VII – should the 3 years of sales be for 2017-2019 (as opposed to 2016-2018)?
	Response	Please refer to Letter of Clarification #2 for the revised Exhibit VII.
43	Question	Can space Package 2 space HOUF-15B be expanded to Frozen Treat/Snack (not frozen)?
	Response	Per Section 1.19.1 - Concessionaire has the flexibility to substitute other concepts so long as overall variety, quality and service are not compromised. Concessionaires shall submit, in sufficient details, a clearly defined operations plan believed to be the best concept for the locations. These concepts must be clearly defined in the business plan submitted with the Concession's proposal.
44	Question	Exhibit XIII prohibits exclusivity with Subconcessionaires. Please also prohibit exclusivity with brands for licensing and franchising. It is the same concept regardless of who is operating the restaurant – the concessionaire or subconcessionaire.
	Response	HAS cannot mandate or control brand licensing or franchising decisions
45	Question	Can you extend the due date to March 25th please? Given the holidays took a bite out of the timeline, we are requesting this additional time.
	Response	No extension will be provided at this time.
46	Question	Has the pre-proposal meeting/tour been scheduled yet?
	Response	Please refer to Letter of Clarification #1.
47	Question	While Proposer will need to submit in detail the proposed transition and phasing plan to implement the proposed food and beverage Plan and shall state the expected duration of the development and installation program, can you please identify when the spaces will become available in both Package 1 and Package 2 for Proposer to be able to put together these transition and phasing plans?
	Response	HAS will provide as-builts and transition schedule immediately upon execution of agreements.
48	Question	What is the anticipated open dates HAS wants to see for the locations?
	Response	Please see response to Question #26.
49	Question	Are CAD drawings and LODs available for all of the locations?

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	Response	As-builts are available by HAS immediately upon execution of agreements in PDF format
50	Question	When is the Pre Proposal/Site Tour anticipated to be scheduled?
	Response	Please refer to Letter of Clarification #1.
51	Question	If a Proposer is submitting proposals on both Package 1 and Package 2, does the Proposer submit 2 separate full proposals in 2 separate packages?
	Response	Proposers will be required to submit separate responses for each package.
52	Question	Under which Tabs should ACDBE plan, concept photos/renderings/menus, and transition, construction schedule/ plans be placed?
	Response	Please refer to Section 2.0 Submission Requirements and PART X – Required Forms to be Submitted with Proposal.
53	Question	Which package is for food and beverage services only? One or Two? Does each package require a build out for food services?
	Response	Both packages are food/beverage. The locations in each package require a full build-out for food services.
54	Question	The RFP lists out the required tabs but some of the required information discussed on pg 9 - 16 (Customer service management staffing and logistics plan, Design material and sustainability, Construction, Transition plan and Concept Development and Menu etc.) are not in the tab section on page 26 -28. Any clarification you can provide on the Tab order would be helpful.
	Response	Please see update in item #3 listed above.
55	Question	On page 27 there is a bullet point about demonstrating proposers experience providing managed telecommunications maintenance services. I think it may have been accidentally copy/pasted in from a different RFP.
	Response	Please see update in item #3 listed above.
56	Question	There are sections of the RFP that are scored (Customer Service Plan, Concept Development, Transition Plan, etc.) that do not have a specific Tab that they are supposed to go under. Can you please clarify which tab each scoreable criteria should be placed in our final submission?
	Response	Please see update in item #3 listed above.

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57	Question	Is Section 1.10 asking for Performance Bond and Letter of Credit or will one or the other suffice?
	Response	Please refer to Section 1.0 Performance Bond, Exhibit VIII, Exhibit XIV, and Exhibit XV.
58	Question	<p>The RFP Evaluation Criteria (Part V) outlines 5.5 Technical Competence Requirements (page 24) but doesn't provide which tab this information should be located in the Part IV- Submission of Proposal, 2.0 Submission Requirements. Please clarify where all sections of 5.5 Technical Competence Requirements should be added to the submission response, or if this section is in its own separate volume? Please note that some of the 5.5 Technical Competence Requirements are already included in other tabs, so we need clarification on:</p> <ul style="list-style-type: none"> o 5.5.1 Customer Service/Management and Operations Plan o 5.5.2 Local Participation o 5.5.3 Concept Development and Menus o 5.5.4 Design, Material and Sustainability o 5.5.7 Transition Plan
	Response	Please see update in item #3 listed above.
59	Question	Are there any page limits to the response? Would the Authority and/or City accept the binder response in multiple binder volumes, i.e. Tabs 1-9 in its own volume/binder and the Technical Competence Requirements in a separate volume/binder? Is there any preference for how the volumes or tabs should be organized?
	Response	There are no page limits to the response, you may respond with multiple volumes.
60	Question	On Page 27, Part VI (Submission of Proposal), 2.0 Submission Requirements, Tab 4 (Knowledge and Experience) requests a brief description that "demonstrate that demonstrates Proposer's experience providing managed telecommunication maintenance service for a major metropolitan areas." Is this a typo? Can you please clarify what information regarding the Proposal response should contain regarding the RFP's requested services in the airport? Further, this section also requests Key Personnel, which is also requested in Tab 2 (Executive Summary) and Tab 3 (General Company Information). Can you clarify if this same information needs to be repeated in all 3 sections of the proposal response?
	Response	Please see update in item #3 listed above.
61	Question	What is the time deadline on March 10th, 2022 to submit proposals?
	Response	2:00 PM Central.

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62	Question	Would the Authority consider an extension to the deadline
	Response	No extension will be provided at this time.
63	Question	What are the future enplanements projections for the next 5 years?
	Response	HAS does not provide enplanement projections
64	Question	When do you anticipate enplanements reaching Pre-Covid levels?
	Response	See response to Question #63.
65	Question	What are the main carriers for this airport by terminal?
	Response	Southwest (entire airport), Delta (central east concourse), American Airlines (central east concourse)
66	Question	What will be the expected main carriers for this terminal in the next 5 years?
	Response	Southwest, Delta, American Airlines, Frontier
67	Question	Are there plans for future F&B and retail concessions releases after this RFP? If so, when will they be released, how many locations and sq ft will be available?
	Response	Not at this time.
68	Question	Please provide the current use and concept name for the locations offered in this RFP.
	Response	Please see page 17 of T31149 Attachments.pdf
70	Question	Please provide location, concept names and gross sales for locations not offered in this RFP that currently operate in the airport
	Response	Please see page 18 of T31149 Attachments.pdf
71	Question	What is the term commencement date?
	Response	The term will commence on the Effective Date of the contract.
72	Question	What is the construction handover date?
	Response	Spaces to be turned over to awarded concessionaires August 1, 2022 with construction commencing following permit.
73	Question	What is the target opening date for each concept?

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	Response	HAS will turnover spaces to awarded concessionaire on August 1 st . HAS and awarded concessionaire will work together to develop a phased approach for the full buildouts of locations to commence as soon as possible following turnover transition.
74	Question	What are the Hours of operation by location?
	Response	Please refer to Section 5.9 of the sample contract
75	Question	Can you confirm that in 2019, value pricing was street +10%? Please confirm that this has now changed to street pricing +15% in 2022?
	Response	Confirmed – it was Street +10% in 2019 and is now Street +15%
76	Question	What are the Common Area Maintenance fees/Distribution fees/Utilities/Waste removal fees (\$/SQF) if any?
	Response	There is no CAM charge. See response to Question #81 for tenant fees.
77	Question	What are the gas, electric and water charges?
	Response	Usage will be billed as follows: Trash – yearly Gas, water and electric - monthly
78	Question	What is the Possessory tax if any?
	Response	Concessionaire should consult with a tax advisor for associated taxes.
79	Question	What is the Hospitality surcharge if any?
	Response	HAS does require a hospitality surcharge.
80	Question	What is the Storage rent per SQF if any? Are there any support spaces included in each package?
	Response	Storage/Support space is included. Support space is detailed on page 19 for Package 1 and page 21 for Package 2.
81	Question	What is the Loading dock fees if any?
	Response	There is no loading dock fee.
82	Question	What are the Chargebacks if any?
	Response	See response to Question #77.
83	Question	Will there be a third-party contractor to provide all receiving, handling and transfer/delivery services? If so, what is the charge for the service?

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	Response	HAS reserves the right to procure a third-party contractor for receiving and distribution services. The service fee will be determined at that time.
84	Question	What is the employee discount requirement, if any?
	Response	Please refer to Section 5.1.9 of the sample contract
85	Question	Is there a construction charge back for the utility's matrix provided?
	Response	No, there is no construction charge back.
86	Question	Please provide a Final detailed LOD?
	Response	Awarded concessionaires will receive complete as-builts of existing units upon execution of the agreement.
87	Question	Is there any demo involved?
	Response	Yes, there is.
88	Question	Are we going to receive a 1" depression box to build?
	Response	No, you will not.
89	Question	Do we have clear access for mechanical units and Hood system to the roof?
	Response	For existing systems, yes.
90	Question	Can we use Captive Aire hood system?
	Response	Yes, you can use Captive Aire hood system.
91	Question	Do we have chilled water lines for cooling and heating?
	Response	Yes, you do have chilled water lines for cooling and heating.
92	Question	Do we have gas lines?
	Response	Yes, you do have gas lines.
93	Question	What is the water proofing methods accepted?
	Response	Option of the following in wet areas: Seamless epoxy coating 6 inches up the wall concurrent into drain lines. Waterproof membrane under quarry tile
94	Question	Will the Point of connection (POC) will be in the space?
	Response	Yes.

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95	Question	Do we need to do one hour rolling gates or what is the Fire one hour rated box we have to follow? Do we need to have the kitchen only or the entire restaurant too?
	Response	Code requirements to be provided by HAS Building Standards Group during planning/permitting.
96	Question	Do we have a dedicated road curbs for mechanical units?
	Response	HAS to provide units to awarded concessionaire in as-is condition
97	Question	Does the Authority have any preferred phasing and schedule of the design and construction?
	Response	Yes. HAS to provide preferred phasing and transition schedule to awarded concessionaire upon execution of agreement
98	Question	When do we need to have the design concepts approval since there won't be a submittal rendering at the beginning of the RFP phase?
	Response	HAS Concessions will approve concept designs after execution of agreement prior to turnover of spaces.
99	Question	Will a laminate and Corian material be approved to help reduce construction costs? Are there any finish material is not acceptable to use? Please specify?
	Response	All design and materials proposed will be reviewed and approved/denied at time of submittal.
100	Question	Do we have a grease line Point of connection for each concept? If so, please provide any relevant information for each point of connection.
	Response	All existing plumbing will be removed by awarded concessionaire and new plumbing installed up to, but not breaking, the concrete that routes to grease traps.
101	Question	Do we have a shaft to the roof to run our ducting?
	Response	All units will be provided in as-is condition.
102	Question	Please provide a list of contractors we may use that have positive experience completing work inside this airport.
	Response	HAS Concessions does not provide a preferred vendor list.
103	Question	Please provide a list of architect and engineer that we may use that have positive experience completing work inside this Airport
	Response	See response to Question #102.
104	Question	Do we need step down transformer?

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	Response	No, you do not.
105	Question	Any LEED certification needed?
	Response	Not required, but not prohibited.
106	Question	Do we need to have a BTU meter?
	Response	Yes, you will need to have a BTU meter.
107	Question	Is there any IT system or Video TV system from the airport we must participate with?
	Response	HAS has a cable TV system you will be required to utilize.
108	Question	Can we have a full access to the terminal plan in PDF and CAD? Full conformed set?
	Response	Awarded concessionaires will receive complete as-builts of existing units upon execution of the agreement.
109	Question	Part X, Exhibit 6 (Compensation to the City) Would the Authority and/or City accept Proposed Percentage Fee Rates individual for each concept instead of the entire package?
	Response	No, we will not accept individual rata for each concept.
110	Question	Part X, Revised Exhibit 7 (Experience and Qualifications) Can the proposer limit this list to 3 to 5 F&B facilities given the extensive nature of the request including interior and exterior photos and key personnel for each unit? Will the Proposer be compliant if the majority JV partner complies with this request or will all minority JV Partners also be required to comply with this list?
	Response	Yes, Proposers may limit the list to no less than three and no more than five F&B facilities for Exhibit VII. Only the prime/majority JV partner needs to complete this request.
111	Question	Part X, Exhibit 8 A of Forms (Performance Bond) Does the Performance Bond need to be completed before submission and included in the proposal? If so, please provide contact information for obtaining Assistant State Attorney approval and any procedural information they require (how many days will they require to review, sign and return the Performance Bond and in what format must the document be sent for their review).
	Response	Please refer to Section 1.0 Performance Bond, Exhibit VIII, Exhibit XIV, and Exhibit XV.

Council Members: Amy Peck Tarsha Jackson Abbie Kamin Carolyn Evans-Shabazz Dave Martin Tiffany D. Thomas Mary Nan
Huffman Karla Cisneros Robert Gallegos Edward Pollard Martha Castex-Tatum Mike Knox David W. Robinson Michael
Kubosh Letitia Plummer Sallie Alcorn

Controller: Chris Brown

112	Question	Part X, Exhibit 8B of the Exhibits (Irrevocable Standby Letter of Credit) Does the Irrevocable Standby Letter of Credit required as part of the submission?
	Response	Yes, please refer to PART X – Required Forms to be Submitted with Proposal.
113	Question	Part X, Exhibit 9 (Store Concept & Design) Question 3 – can the Proposer provide a response of three comparable stores to a general concession category, i.e. Casual Dine? Would the Authority accept Proposer's covenant to comply with the City's pricing policy once selected in lieu of a list of comparable stores in the submission? Or can we include a client reference that can attest to Proposer's ability to comply with pricing policy if selected
	Response	Proposer must comply with requirements listed for Exhibit 9. Proposer must provide a specific concept for each location in the RFP and comply with the merchandise listing and pricing requirements.

END OF LETTER OF CLARIFICATION NO. 3

When issued, Letter(s) of Clarification shall automatically become a part of the solicitation documents and shall supersede any previous specification(s) and/or provision(s) in conflict with the Letter(s) of Clarification. All revisions, responses, and answers incorporated into the Letter(s) of Clarification are collaboratively from both the Strategic Procurement Division and the applicable City Department(s). It is the responsibility of the Proposer to ensure that it has obtained all such letter(s). By submitting a proposal on this project, Proposers shall be deemed to have received all Letter(s) of Clarification and to have incorporated them into their proposals.

If you have any questions or if further clarification is needed regarding this solicitation, please contact Ruby Lopez at ruby.lopez@houstontx.gov or 832.393.8705.

Sincerely,

DocuSigned by:

Jerry Adams

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Jerry Adams

Chief Procurement Officer

DS
CA

DS
YC

C: File: T31149

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